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January 31, 2025

VIA ECF

Honorable Lee G. Dunst
United States District Court, E.D.N.Y.
100 Federal Plaza, Courtroom 830
Central Islip, New York 11722

Re: *Myers v. County of Nassau et al*, 22-cv-07023-SJB-LGD

Dear Magistrate Judge Dunst:

Pursuant to the Court's January 15th Order, (*see* Docket Entry ["DE"] 81) ("Order"), Plaintiff Jhisaiah Myers and Defendant County of Nassau, by their counsel, write jointly to provide a joint status report to the Court.

Document Production

Further to the Court's November 4th order (DE 73), Defendant produced to Plaintiff (1) unredacted versions of GRRs, supplements to the GRRs, and related emails discussing applicants, inclusive of applicant names, investigator observations, negative prior employment history, and discussions and communications about applicants for the 2018 cycle; (2) background investigation files (including applicant names) for those applicants disqualified during the 2018 cycle based on disrespect for the process of law for any underlying reason; and (3) policies, guidelines, and training documents concerning the Background Investigation phase from prior to 2018 that were in place during the 2018 hiring cycle. Plaintiff is reviewing these materials and will work cooperatively with Defendant to resolve issues, if any.

Plaintiff's productions to Defendant's outstanding document requests have been substantially completed. Defendant gave notice to Plaintiff of its intent to serve a subpoena for records relevant to Plaintiff's deposition. Plaintiff has produced some of the documents sought in the subpoena and has undertaken additional efforts to secure additional documents responsive to this subpoena. The parties will continue to engage cooperatively in an effort to avoid motion practice and will keep the Court informed of whether Court intervention will be required.

The Parties anticipate that additional document and written discovery requests will be served in accordance with the Federal Rules of Civil Procedure.

Hon. Lee G. Dunst
January 31, 2025

Depositions

Plaintiff's Second Amended 30(b)(6) Notice identifies 22 topics for deposition. On January 7th and January 14th, Defendant produced two separate witnesses who provided testimony on 11 of the 22 identified topics. The deposition of another witness who will be testifying about three of the topics has been scheduled for February 25. The Parties anticipate completing the remaining 30(b)(6) depositions on the topics for which Defendant has agreed to produce witnesses in short order and further anticipate that additional depositions will be completed by the June 2, 2025 deadline provided in the Court's November 17, 2024 scheduling order.

Accordingly, there is no matter that requires the attention of the Court at present. We thank you for your time and consideration.

Respectfully submitted,

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cc: All Counsel of Record (via ECF)